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STOCKTON GUN COLLECTOR SENTENCED TO NEARLY FIVE YEARS IN FEDERAL PRISON FOR SELLING GUNS ON THE BLACK MARKET

SACRAMENTO, Calif.—Acting United States Attorney Lawrence G. Brown and Bureau of Alcohol, Tobacco and Firearms Agent-in-Charge Stephen C. Herkins announced today that United States District Judge Morrison C. England Jr. sentenced RICARDO MADRIGAL, 28, of Stockton, Calif., yesterday afternoon to four years and eight months in federal prison for dealing firearms without a license, interstate travel to acquire firearms to deal without a license, transporting firearms interstate in furtherance of unlicensed firearms dealings, and possession of an unregistered machine gun. He pleaded guilty on August 7, 2008.

This case is the product of an investigation by the United States Bureau of Alcohol, Tobacco and Firearms.

According to Assistant United States Attorney Richard Bender, who prosecuted the case, court records show that on four occasions MADRIGAL sold one or two pistols to an undercover informant or an agent of the Bureau of Alcohol Tobacco Firearms & Explosives (ATF). Later, on April 13, 2007, he traveled to a gun show in Reno, Nev., and purchased nine guns that he brought back into California. On the way home from Reno he purchased an MP5 fully automatic assault type rifle from an undercover ATF agent and was arrested shortly after the purchase. A search of Madrigal's home resulted in locating 42 firearms, most of which were in a gun safe. The guns found in the defendant's house were his personal collection, whereas the nine firearms purchased at the Reno gun show were likely intended to be sold since the guns purchased out-of-state could not be legally possessed in California.

"The illegal flow of guns must be stopped. This investigation is an example of ATF's efforts to pursue firearms traffickers," said ATF Agent-in-Charge Herkins.

"Actions of defendants like Ricardo Madrigal can result in firearms ending up in the hands of those who cannot legally purchase them, such as convicted felons or persons suffering from mental illness. The ATF is to be commended for their outstanding investigative work," said Acting U.S. Attorney Brown.

According to the ATF, with minor exceptions, in California a person can legally possess only firearms purchased from, or through, a store/person with a federal firearms license to sell firearms (a FFL). A California resident cannot lawfully purchase a gun from an out-of-state person or company unless that sale goes through a California FFL (who will require the necessary paperwork and allow a background check to be completed by authorities to insure that the person is legally allowed to purchase/possess the firearm) and the gun is picked up from the FFL after the required waiting period has lapsed (to allow the background check to be completed).

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